

FILED
US DISTRICT COURT E.D.N.Y.
14mj403 Am L

RECEIVED
IN CHAMBERS OF
ROBERT M. LEVY, USM.J.
DATED 2/13/15

★ FEB 12 2015 ★

BROOKLYN OFFICE

February 17th 2015 Brooklyn, New York

James 1:25 The Perfect Law that gives liberty

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Dear Honorable Judge Levy, What a pleasure it was to meet with you again on February 5th 2015. I felt like myself again, like a business woman wearing my brand new Calvin Klein outfit. I thank you, abundantly for not treating me unfairly. You are an amazing Judge! I feel very, very, very blessed that God chose you. Not many have the favor that I have. I guess my faithfulness towards God, transpires in blessings I receive. I have, as previously mentioned to you on February 5 2015, I have several requests to make. Although, The Government, represented by AUSA Justin David Terer has expressed that this case is almost over on records. I personally have exhausted my patience due to the agony caused by the prosecution that has not yet come to an end. I need to express this.

I want to advise you that my current focus, besides my Theology studies is to pursue my law degree at Stanford University and become a lawyer and climb to an AUSA

DEFENDANT
JOHN P. GALLAGHER
UNITED STATES DISTRICT COURT
DETROIT

position to lower the conviction rate and grant justice to innocent defendants as well as guilty defendants who truly seek to turn their lives around. According to Judge Red Raboff in New York, it's unlikely that 95% of defendants are guilty and 2/3 of Americans incarcerated. The pressure of guilty pleas and abuse of prosecutorial procedures and power lead to such imbalanced and disturbing statistics.

I personally know and am well aware, that this, is all about greed, quotas and peak performance. Regardless, I refuse to settle! I will fight and win, with glory and victory for God is with me!

I need to be smart and use my grace period to my advantage, I must use it wisely. Trials are unfair, with uneducated and unqualified, prejudice jury subject to further discrimination. As you know, I'm already a victim of, I refuse to carry a felony and let my dreams go down the drain simply because no one could see what I see. I studied Criminology and during the past 10 months of incarceration, I've learn the law in more depth and

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studied my case thoroughly and one knows we learn best from experience than from literature. From a real window view perspective of my life, how it dramatically spiraled into this screaming and chaotic mess, I chose to turn my life around and never look back. Like you stated, this knot needs to be untied, so be it! I'm starting with this letter. The reason of it being handwritten is for purpose of confidentiality as my electronic communication is highly monitored. We are entitled, by policy, to receive 2 hours per day in the law library. However, we have had only 2 hours in the last month, which is why I needed to make copies of my motions in the court last Thursday. This is delaying my research pertaining to my work in progress. It's also a violation of my rights of accessing the courts to begin with.

As you know, Deborah has been an amazing lawyer however, not as aggressive nor creative as I am and I need to handle certain matters myself which is why I'm currently communicating my concerns as time is of the essence. The next hearing

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This is intended to secure my release from Federal custody of any kind. I trust your judgment, fairness, ethics, professionalism, compassion, discernment and impartiality very much. Please help me make this happen.

I'm not one, who breaks rules, rather, who gets discriminated, victimized and in the past, was inappropriately and improperly informed I must admit. I am not perfect but it's a target to achieve. Due to the restrictions imposed by this incarceration, several problems are affecting my defense. First and foremost, financial scarcity. My family is used to me financially supporting them and this lengthy incarceration has tremendously drained our resources and communication is extremely costly and necessary as communication, is the key to success. Immigration matters need to be resolved prior to my next appearance and I need to make a request for the court to pay for the fees associated to legal representation for all procedures and required applications pertaining to this matter. I can't afford to take the risk to be in ICE custody. Please, understand me, I can't put myself

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through that. My life has too much value so does my family. In order to complete my motion, I need to work with CJA Investigators to collect missing data, and this shall be done prior to the hearing, regardless of competency, as the defense, will not rely on the tactics of the Government which seem to drag for way too long.

The days in court, are horrible for us. We are awoken at 4:00 AM, although I suffer insomnia as you know from my report and medical records. We wait in a holding cell all day until we are stripsearched and let me specify that regardless of communication from MDC to that effect, no accommodation whatsoever has been made. Your requests ignored under false pretenses which I will raise in the motion, once all data is collected by the investigators. After the traumatizing Stripsearch, we are handcuffed like criminals, wait all day in the courthouse holding cell for a 30 min or less hearing, we do not get back until late at night around 7:00 or 8:00 pm, get StripSearch again, a second time. This is a 16-19 hr day

of extreme mental exhaustion, emotional abuse and physical pain caused by the handcuffs and discomfort of holding cells.

I want to confer a very important matter to you. After spending close to 10 months page 6 of 11 a federal year with defendants 24/7, I can say that 97% or more of prosecutors are harsh, rotoless and unfair. I can honestly say that Justin David Levy does not fall into that category rather in the 3% of those who make the difference. Another blessing for which I thank God daily. I admire his charisma and sense of ethics. I greatly appreciate all the accomodations made according to my numerous requests. As per our hearing on November 25 2014, judging by the transcripts, you stated it was illegal for you to interfere in agreements between the defense and the Government. The Government stated that the competency evaluation was necessary prior to engage in such agreements and procedures. Without getting into illegal details M. Levy, I wish to tell you that this is my favorite option since the month of August 2014.

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However, due to ineffective counsel and delay caused by the replacement of such, this matter has not been properly advocated. During my time of waiting for such to take place, my health has been neglected and condition aggravated. I am mentally drained and emotionally agonized. The pain is unbearable at this point. I had no choice but to expose the government like I did on February 5 2015 regardless of my respect for Justin David Levy as an individual, I need to protect myself as a business woman as well as a defendant, above all things a woman of God. Mr. Levy, it would desolate me to not end in a win/win scenario. Because I want to see victory on both sides. Honorable Judge Levy, regardless of me being constantly violated, slandered in the media for a crime others committed, I am human and Christian above all things.

I know and understand, that as a man his ego and image matters to him. I want to file my motion as a result of lack of follow through but I want to give him a chance and leeway to keep his word before it's too late and I

have no choice but to retaliate, I am prepared to fight and win but I am also open to agree on mutually beneficial terms and allow both parties not to loose face after so much hardwork from both side.

page 8 of 4 I don't want to see this look or has face again, but I had no choice, I had to make my point come across. Therefore, This is the ultimate purpose of this letter, to offer leeway before I officially file this motion.

I am sending communication to the Government to that effect shortly after you receive this letter and I obtain confirmation via paralegal Sarah Watson from Colson & Harris LLP. May you please communicate to AUSA Justin David Leve my intentions of holding off the motion filing pertaining to the confidential communication and legal mail he will receive from me and advise, that I seek peace beyond battle. Battle only if no peace can't take place. I don't want to put you in a bad position but I need this small message to please be related by you in your own verbiage in anti-patrons

of upcoming communication from me. There is only so much I can do from here.

Here are my requests to be addressed immediately upon reception in order to prepare for February 23 conference.

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- 1) Letter to MDC requesting to respect my health condition pertaining to severe aggravated insomnia and my to awake me at 7:00 AM for my court appearance with a copy sent to me directly via certified legal mail in MDC please.
- 2) I need 3 copies of each transcripts April 30 2014, Dec 22 2014 and February 5 2015.
- 3) Approval of financial accommodation by the court for immigration legal proceedings
- 4) Approval of the court CJA Investigator to be appointed
- 5) Communication funds to be deposited in defendants account for legal calls and e-mails to Courtney Wavy and

Deborah Carlson.

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- 6) Copy of communication to AVSAF Justin David Lever pertaining to advising him of upcoming communications from me via legal mail for my records.
 - 7) Lastly, may you please obtain a copy of the competency report submitted to AVSAF Justin David Lever by Dr. Kleinman on Feb 6 as it will be cross-referenced in the motion I am to file if need be.

Please Honorable and Respected Judge Levy, address my concerns as soon as possible. I am trying my best and I don't have much time to get ready for February 23 and I need to be safe not sorry.

I want to thank you greatly for taking the time to address my concerns and requests and await from you your legal mail communications in the next 4 business days. This letter

is submitted on Sunday February 8th 2015
and should arrive no later than February
12 2015. Therefore, I should receive your
reply by February 18 2015. I will give
me about 5 days to prepare. I should
be able to manage. I need enough time
to study the transcripts and go over
details with my advisors.

P.S I also need this letter as
original to be returned I couldn't
make a copy. Thank you ☺

May God bless you abundantly for
giving me justice.

Proverbs 18:10 The name of the Lord
is a strong tower, the righteous man
runs to it and is safe.

~~A. Miller~~

Don's Hennette
Jembe

Proud follower of Jesus Christ,